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| 09/833,579 | 04/13/2001 | Masatoshi Takano | 109049 | 5627 |

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| EXAMINER |
|---|
| TSAI, CAROL S W |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2857 | |

DATE MAILED: 08/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/833,579 | TAKANO ET AL. | |
| | Examiner | Art Unit | |
| | Carol S Tsai | 2857 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period f r Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *07 July 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by JP2000029900 to Ichikawa et al.

With respect to claims 1-7, Ichikawa et al. disclose a calculation method of a discharge and transfer amount of chemical substances, comprising: a step of inputting and storing a data which indicates a material, a use step of the material and a use amount of the material which are transmitted from a client terminal through a network (see Figs. 1, 4, and 5); a step of searching for a database of material components storing a contained chemical substance and content thereof corresponding to the material by using the inputted material as a key, and searching for the chemical substance contained in the material and the content (see paragraph 0013 of Detailed Description); a step of searching for the database of a material balance coefficient which stores a ratio in which the chemical substance is discharged and transferred by every separate whereabouts of the chemical substance selected from the group including air, water basin, or a

product corresponding to the chemical substance and the use step of the material by using the searched chemical substance and the inputted use step of the material as a key, and searching for the discharge and transfer ratio by every separate whereabouts when the searched chemical substance is used in the inputted use step of the material (see paragraphs 0014-0022 of Detailed Description); a step of calculating the discharge and transfer amount of the chemical substances by every separate whereabouts based on the searched discharge and transfer amount, the inputted use amount of the material, and the searched contents and a step of transmitting the calculated discharge and transfer amount by every separate whereabouts when the searched chemical substance to a client terminal through a network (see paragraphs 0023-0036, 0038, and 0039 of Detailed Description).

As to claims 8 and 9, Ichikawa et al. also disclose a material supplier server being connected to a network and a material component database being updated based on data transmitted from the material supplier server (see paragraph 0023 of Detailed Description).

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 10, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa et al. in view of U. S. Publication 2002/0026339 to Frankland et al.

As noted above, Ichikawa et al. disclose the claimed invention, except for a material

component database storing link information indicating an address of which the component information each material that exists in the material supplier server.

Frankland et al. teach a material component database storing link information indicating an address of which the component information each material that exists in the material supplier server (see paragraphs 0088, 0264, 0421, and 0424).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ichikawa et al.'s method to include a material component database storing link information indicating an address of which the component information each material that exists in the material supplier server, as taught by Frankland et al., in order that the original record into which the record of discharge and transfer has been read can be tracked.

As to claims 12 and 13, Ichikawa et al. do not disclose a client terminal having a function for printing out in a document format a discharge and transfer amount by every separate whereabouts of chemical substances transmitted from the server for calculating a discharge and transfer amount of chemical substances.

Frankland et al. teach a client terminal having a function for printing out in a document format a discharge and transfer amount by every separate whereabouts of chemical substances transmitted from the server for calculating a discharge and transfer amount of chemical substances (see Figs. 12 and 13 and paragraphs 0047, 0170, 0174, 0176, 0180, 0184, 0191, 0196, and 0408).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ichikawa et al.'s method to include a client terminal having a function for printing out in a document format a discharge and transfer amount by every separate

whereabouts of chemical substances transmitted from the server for calculating a discharge and transfer amount of chemical substances, as taught by Frankland et al., in order that results of calculations being printed in a document of specified format can be submitted to public agencies by e-mail and facsimile.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa et al. in view of U. S. Publication 2002/0026339 to Frankland et al. and U. S. Patent No. 5,983,225 to Anfindsen.

As noted above, Ichikawa et al. disclose the claimed invention, except for a client terminal capable of browsing a material component database having restricted access based on type of material.

Frankland et al. teach a client terminal capable of browsing a material component database based on the type of material (see paragraphs 0050, 0068, 0262, 0440, 0444).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ichikawa et al.'s method to include a client terminal capable of browsing a material component database, as taught by Frankland et al., in order that a web browser user can communicate with the metadata and layers on a server from anywhere in the world (see Frankland et al. paragraph 0075).

Anfindsen teaches browsing having restricted access (see col. 5, lines 20-24).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ichikawa et al. in combination with Frankland et al.'s method to include browsing having restricted access, as taught by Anfindsen, in order to lock any unauthorized person to access the data information.

***Response to Arguments***

7. Applicant's arguments filed 07/07/2003 with respect to claim 11 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that Ichikawa does not disclose "a material balance coefficient which stores a ratio in which the chemical substance is discharged and transferred by every separate whereabouts of the chemical substance including at least one of air, water basin and a product corresponding to the chemical substance," as recited in claims 1 and 5. The Examiner disagrees with Applicants. As set forth above, Ichikawa et al. do disclose a material balance coefficient which stores a ratio in which the chemical substance is discharged and transferred by every separate whereabouts of the chemical substance including at least one of air, water basin and a product corresponding to the chemical substance (see paragraph 0004 of Detailed Description: the component of the specification matter and movement of an amount are investigated through a life cycle, and it supervises strictly how much it is discharged by the atmosphere, soil, the drainage system, etc. On the occasion of this investigation, the substantial basic data (it is hereafter called component data) which specification matter is contained in various products only for which is to foundations most and paragraph 0009 of Detailed Description: The purpose of this invention is to offer the component database with which early fullness is attained by information gathering of the product from a manufacture site in view of the situation of the above-mentioned conventional technology. Moreover, it is in offering the search method and network system of the component database with which the registration to the aforementioned

component database and the specification matter about an object product can be easily searched to various sites).

Applicants argue that Ichikawa does not teach the step of using the searched chemical substance and the inputted material as a key for searching for the discharge and transfer ratio as recited in claims 1 and 5. The Examiner disagrees with Applicants. As set forth above, Ichikawa et al. do disclose the step of using the searched chemical substance and the inputted material as a key for searching for the discharge and transfer ratio as recited in claims 1 and 5 (see paragraph 0009 of Detailed Description: The purpose of this invention is to offer the component database with which early fullness is attained by information gathering of the product from a manufacture site in view of the situation of the above-mentioned conventional technology. Moreover, it is in offering the search method and network system of the component database with which the registration to the aforementioned component database and the specification matter about an object product can be easily searched to various sites).

Applicants argue that Ichikawa does not teach a method for taking into account the discharge and transfer amounts of materials A and B to produce material D because Ichikawa does not take into account the specific manufacturing process for producing material D and that Ichikawa does not teach or suggest the method of calculating a discharge and transfer amount of chemical substances by taking into account the transfer rate when the searched chemical substances are discharged including at least one of air, water basin and a product as recited in claims 2-3 and 6. The Examiner disagrees with Applicants. It is noted that the features upon which applicant relies (i.e., take into account the specific manufacturing process for producing material D) are not recited in the rejected claim(s). Although the claims are interpreted in light

of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In addition, As set forth above, Ichikawa et al. do disclose calculating a discharge and transfer amount of chemical substances by taking into account the transfer rate when the searched chemical substances are discharged including at least one of air, water basin and a product (see paragraph 0013: In the method of searching the component database which has registered the component data containing a specification matter name and its content ratio through a network per material name about the specification matter with this invention detrimental to the environment included in material. Transmit two or more material names which constitute the product name of an object product, or it, and the aforementioned component data are searched. The specification matter name and its content ratio of the corresponding material name are received from the content ratio for every specification matter of this, air object product, or the amount used (or ratio) for every material of the It is characterized by calculating the amount (or ratio) for every specification matter name contained in the product concerned, and acquiring the component data of the aforementioned object product).

Applicants argue that Ichikawa does not teach or suggest "the server calculating the discharge and transfer amount by very separate whereabouts of chemical substances" and "a material balance coefficient database that stores a rate of which the chemical substances are discharged and transferred by every separate whereabouts of the chemical substances including at least one of air, water basin and product in association with the chemical substances, material use step, and discharge step," as recited in claims 7-13. The Examiner disagrees with Applicants. As set forth above, Ichikawa et al. do disclose the server calculating the discharge and transfer

amount by very separate whereabouts of chemical substances (see paragraph 0013: In the method of searching the component database which has registered the component data containing a specification matter name and its content ratio through a network per material name about the specification matter with this invention detrimental to the environment included in material. Transmit two or more material names which constitute the product name of an object product, or it, and the aforementioned component data are searched. The specification matter name and its content ratio of the corresponding material name are received from the content ratio for every specification matter of this, air object product, or the amount used (or ratio) for every material of the It is characterized by calculating the amount (or ratio) for every specification matter name contained in the product concerned, and acquiring the component data of the aforementioned object product).

Regarding to claims 10-13, Applicants argue that Frankland teaches a management system for updating computer software based on changes in government regulations and Frankland does not specifically teach a material component database. The Examiner disagrees with Applicants. As set forth above, Frankland et al. do disclose teaching a material component database (see Figs. 8 and paragraph 0416: The Product Stewardship section includes databases that **provide relevant information on chemical and physical properties of materials** used at a facility, product handling information, ordinary and special hazards associated with a material consumed, processed and/or produced at the facility, and environmental health and safety (EH&S) assessments).

Applicants argue that Frankland does not teach or suggest printing out in a document

format or in an intensive document format discharge and transfer amount of chemical substances as recited in claims 12 or 13. The Examiner disagrees with Applicants. As set forth above, Ichikawa et al. disclose the claimed invention, except for printing out in a document format a discharge and transfer amount by every separate whereabouts of chemical substances transmitted from the server for calculating a discharge and transfer amount of chemical substances. Frankland et al. teach printing out in a document format a discharge and transfer amount by every separate whereabouts of chemical substances transmitted from the server for calculating a discharge and transfer amount of chemical substances (Figs. 12 and 13 and paragraphs 0047, 0170, 0174, 0176, 0180, 0184, 0191, 0196, and 0408; A user can map formula arguments (variables, parameters) to tables and columns in a database, read in transaction data imported from external systems, set up data profiles to reduce data entry, and **enable creation of new records based on calculated results**. Results can be graphed, printed or transmitted by e-mail and facsimile). Therefore, the combination of Ichikawa et al. and Frankland et al. clearly teach the claimed invention.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. Tsai whose telephone number is (703) 305-0851. The examiner can normally be reached on Monday-Friday from 7:30 AM to 4:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (703) 308-1677. The fax number for TC 2800 is (703) 308-7382. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2800 receptionist whose telephone number is (703) 308-1782.

In order to reduce pendency and avoid potential delays, Group 2800 is encouraging FAXing of responses to Office actions directly into the Group at (703) 308-7382. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 2800 will be promptly forwarded to the examiner.

Carol S. Tsai

08/02/03

Marc S. Hoff

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